

Article - Estates and Trusts

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§12–102.

(a) Unless otherwise specifically provided in another section of the estates of decedents law, the provisions of the estates of decedents law apply as provided in this section.

(b) (1) Except as provided in paragraph (2) of this subsection, Titles 1, 3, 5, 6, 7, 8, 9, and 10 of this article apply to the estate of any decedent dying on or after January 1, 1970.

(2) The last sentence of § 7–502(a) of this article shall apply only if the personal representative gives notice as required after July 1, 1974.

(c) Title 2 of this article applies, in every instance, on and after January 1, 1970.

(d) (1) (i) Except as provided in subparagraph (ii) of this paragraph, Title 4 of this article applies to any will executed on or after 12:01 a.m. on January 1, 1970.

(ii) Section 4–105 of this article applies to any act or acts of revocation occurring on or after January 1, 1970.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, as to the rules relating to any will executed before January 1, 1970, the law before January 1, 1970 shall be applicable.

(ii) Section 4–403 of this article applies to the legacy of any testator who dies on or after July 1, 1983.

(3) (i) The provisions of § 4–411 of this article apply to a legacy made by a testator living on June 1, 1959, or born after that date without regard to the date of the execution of the will, the trust instrument, or an amendment to the will or trust instrument.

(ii) Section 4–411 of this article may not be construed as casting doubt on the validity of:

1. A legacy made by a testator who died before June 1, 1959; or

2. A legacy that does not come within the provisions of the section.

(e) (1) Section 11–101 of this article applies to a will or inter vivos transfer executed on or after July 1, 1929.

(2) Section 11–102(b)(2) of this article applies to a will or inter vivos instrument executed on or after January 1, 1970.

(3) Section 11–103 of this article applies to:

(i) An inter vivos instrument that took effect on or after June 1, 1960;

(ii) A will where the testator died after June 1, 1960; or

(iii) Any appointment made after June 1, 1960, including an appointment by inter vivos instrument or will under powers created before June 1, 1960.

(4) Section 11–104 of this article applies to a will or inter vivos conveyance executed after May 31, 1912.

(5) Section 11–106 of this article applies to the estate of any decedent dying on or after June 1, 1967.

(6) (i) Section 11–107 of this article applies to the estate of any decedent dying on or after January 1, 1970.

(ii) As to the estate of a decedent dying between October 1, 1964 and December 31, 1969, the provisions of Chapter 918 of the Acts of 1965 apply.

(7) Section 11–108 of this article applies to any releases executed on or after January 1, 1970.

(8) Every provision of Title 11 of this article not specifically mentioned in this subsection became applicable on January 1, 1970.

(f) Section 7–308 of the Tax – General Article applies to the estate of any decedent dying on or after June 1, 1965.

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